

## REMARKS

In the Office Action mailed September 9, 2003, the specification was objected to, claims 5-11 and were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter; claims 5-11 and 21 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement; and claims 5-11 and 21 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The foregoing objections and rejections are respectfully traversed.

In accordance with the foregoing, claims 5-11 and 21 have been amended, and new claim 24 is added. Claims 5-11, 21, and 24 are pending and under consideration.

New claim 24 corresponds to (but reciting "condition" instead of "restriction condition") claim 12 as originally filed in the parent application (U.S. Serial No. 08/014,867, and was included in the specification as filed in the above-mentioned application (although cancelled in the filing papers of the above-mentioned application).

Moreover, claim 12 (corresponding to new claim 24) was included by the Examiner with claims 5-11 in Invention I of the Restriction Requirement mailed June 24, 2003 (claim 21 having been rejoined by the Examiner with claims 5-11 in the September 9 Office Action).

The specification is objected to as referring to Figures 20A and 20B, without having Figures 20A and 20B included in the application. It is respectfully asserted that Figures 20A and 20B were included in the application as filed. More particularly, Figures 20A and 20B were included on the same drawing sheet as Figures 19A and 19B (sheet 19 of 45). Withdrawal of the foregoing objections is respectfully requested.

Claims 5-11 and 21 are amended, taking the Examiner's comments into consideration. No new matter is presented. Support for the foregoing amendments to claims 5-11 and 21 is found in the specification and drawings as filed, and, more particularly, in Figures 16A through 31, including Figure 22.

More particularly, the foregoing claims are amended to recite the tangible, useful, and concrete results of displaying three-dimensional structures.

Moreover, claims 5-11 and 21 are amended to recite "satisfying a condition", rather than "satisfying a restriction condition".

In addition, claims 5-11 and 21 recite "calculating a root mean square"...and are

amended to recite "displaying" based upon the "calculating".

Withdrawal of the foregoing rejections of claims 5-11 and 21 under 35 U.S.C. 101, 112(1), and 112(2) is respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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